

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<u>CHARLES THOMPSON,</u>	:	
	:	
<b>Plaintiff,</b>	:	CIVIL ACTION NO. 10-CV-2058
	:	
<b>vs.</b>	:	
	:	
<b>MED-MIZER, INC.</b>	:	
	:	
<b>Defendant.</b>	:	

**ORDER**

**AND NOW**, this 30<sup>th</sup> day of November, 2012, upon consideration of Defendant Med-Mizer, Inc.'s Motion for Summary Judgment (Dkt. No. 73) filed on October 15, 2012, Plaintiff Thompson's Reply to Motion of Med-Mizer, Inc. for Summary Judgment (Dkt. No. 76) filed on November 2, 2012, Defendant Med-Mizer, Inc.'s Reply Brief to Plaintiff's Reply to Med-Mizer's Motion for Summary Judgment (Dkt. 82) filed on November 19, 2012; and for the reasons expressed in the foregoing Memorandum,

**IT IS ORDERED** that Defendant Med-Mizer, Inc.'s Motion for Summary Judgment is **GRANTED** with respect to Count II of Plaintiff's Second Amended Complaint. In all other respects, Defendant Med-Mizer, Inc.'s Motion for Summary Judgment is **DENIED**.

BY THE COURT:

/s/ Henry S. Perkin  
HENRY S. PERKIN  
United States Magistrate Judge